

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

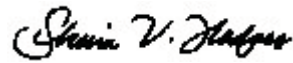
Shawn T. Nelson,)	C/A No.: 1:11-69-JFA-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
)	
Ofc. Felder; Ofc. M. Aiken; Ofc. King;)	
Ofc. Canty; Ofc. Murray; Ofc. S. James;)	
Chief H. James; Sgt. W. Woods; Ofc. T.)	
Williams; Capt. McClutches,)	
)	
Defendants.)	
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Plaintiff, proceeding pro se and in forma pauperis, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. Defendants filed a motion for summary judgment on August 26, 2011. [Entry #51]. As Plaintiff is proceeding *pro se*, the court entered an order on August 26, 2011, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a motion for summary judgment and of the need for him to file an adequate response. [Entry #52]. Plaintiff was specifically advised that if he failed to respond adequately, Defendants' motion may be granted, thereby ending this case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, it is ordered that Plaintiff shall advise the court as to whether he wishes to continue with this case and to file a response to Defendants' motion for summary

judgment by October 14, 2011. Plaintiff is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

September 30, 2011
Florence, South Carolina

Shiva V. Hodges
United States Magistrate Judge